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OJJDP Update on Statistics

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Juvenile Courts Vary Greatly in How They Handle Drug and Alcohol Cases

The widespread use of drugs and alcohol among young people is one of this country's most pressing social problems. Communities have traditionally looked to the justice and health systems as the primary means of addressing the problem of substance abuse. Recently, the public has become increasingly concerned with the way young drug offenders are handled. Some have called for the courts to "get tough" with drug offenders, no matter their age. Others see drug involvement as an illness, like alcoholism, requiring treatment rather than sanctions, especially when young people are involved.

Such philosophies, although sometimes contradictory, have been a part of the juvenile justice system for years. Juvenile courts must constantly weigh these two demands. Reaching the appropriate balance is difficult.

Just how *do* juvenile courts handle drug and alcohol cases? At the request of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the National Center for Juvenile Justice (NCJJ) analyzed nearly 393,000 court records in the National Juvenile Court Data Archive describing delinquency cases processed in 1984 in 696 courts in 15 States. Focusing on cases that had a drug or alcohol offense as the most serious charge, they found that in these jurisdictions:

- Drug and alcohol offense cases accounted for 14 percent of the delinquency cases handled by the juvenile courts in 1984.
- Juvenile courts handled three drug cases and three alcohol cases for every 1,000 youth ages 10 through 17 living in their jurisdictions.
- Drug cases were more common in large counties, but alcohol cases were more common in small ones.
- More than half the youth referred to juvenile court for a drug or alcohol offense had been referred to juvenile court at least once before.
- Juvenile courts responded to alcohol and drug cases formally much less often than to other delinquency cases.
- Courts were more likely to handle drug cases formally than alcohol cases.
- When drug and alcohol cases were handled formally, most youth were

From the Administrator

Although there are many key players in the war against illicit drugs, the courts play a pivotal role in holding drug users accountable for their illegal actions. This is especially true for juvenile courts that have the authority to intervene in the lives of young people.

Because the courts do play such a critical role, the Office of Juvenile Justice and Delinquency Prevention asked the National Center for Juvenile Justice to analyze information in its National Juvenile Court Data Archive to determine how juvenile courts respond to alcohol and drug offenses.

The analysis found considerable variation. Some courts handle most of their substance abuse cases formally, ordering the youth to court for a formal hearing, while others handle these cases informally, releasing or diverting the juvenile to another agency. This variation is especially apparent in drug possession cases. One State, for example, processed 80 percent of such cases formally, while another did so for only 15 percent.

It is important that juvenile justice policymakers be aware of these differences. They may want to examine the criteria for determining when formal processing seems most appropriate, or when an informal response, such as diversion to voluntary services, is used.

Recent studies show a significant relationship between the use of illegal drugs and involvement in crime. The findings described in this *Update* can help juvenile courts develop policies to ensure appropriate and effective responses to illegal drug activity.

Terrence S. Donahue
Acting Administrator

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placed on probation or in residential facilities.

- Drug possession cases were just as likely to be processed formally by juvenile courts as drug trafficking cases.
- Driving-under-the-influence cases were more likely to be handled formally than other alcohol cases.

In this *Update*, drug offenses are defined as possessing or selling a controlled substance or possessing drug paraphernalia. Alcohol offenses include public drinking, drunkenness, liquor law violations, underage drinking, and driving-under-the-influence. For a variety of reasons, many juveniles who use drugs or alcohol never come to the attention of the juvenile justice system. Because of this, the rate of referral to juvenile court for drug and alcohol offenses is much lower than estimates of drug and alcohol use among youth. The findings from this study pertain *only* to those youth who were referred to juvenile court for a drug or alcohol offense.

Of the delinquency cases examined in this study, 7 percent involved a drug offense and 7 percent involved an alcohol offense (figure 1). The courts received three drug and three alcohol cases for each 1,000 youth ages 10 through 17 living in their jurisdictions (figure 2).

Rates vary by age, sex, and race

Drug and alcohol case rates (the number of cases per 1,000 youth ages 10 through 17) vary greatly by age, sex, and race. For example, alcohol and drug case rates increase with age. Seventeen-year-olds were referred to court for drug offenses three times more often than 14-year-olds. Alcohol case rates were eight times higher for the older group.

In all age groups, substantially more males than females were sent to juvenile court for alcohol and drug offenses. For youth age 17, males were four times more likely than females to be referred to court for drugs and three times more likely for alcohol cases.

There were racial differences in case rates as well. White youth were three times more likely than nonwhite youth to be referred to court for alcohol offenses. This difference held true for both sexes.

Drug offense case rates were the same for whites and nonwhites. However, white males were four times more likely than white females to be referred to juvenile court for drug offenses; nonwhite males were seven times more likely than nonwhite females to be referred to court for drug offenses.

Although the overall drug case rates were the same for white and nonwhite youth, there were significant differences when males and females were considered separately. Nonwhite males were referred to juvenile court for drug offenses at a 16 percent higher rate than white males, while white females were referred at a 66 percent higher rate than nonwhite females.

County size makes a difference

The combined drug and alcohol case rate increased with county size. Small counties handled a higher rate of alcohol cases, large counties a higher rate of drug cases.

In large counties, case rates were higher for drugs than for alcohol among all nonwhites, whites, males, and females. In small counties, case rates were higher for alcohol than for drugs among all groups except nonwhite males (figure 3).

Court processing

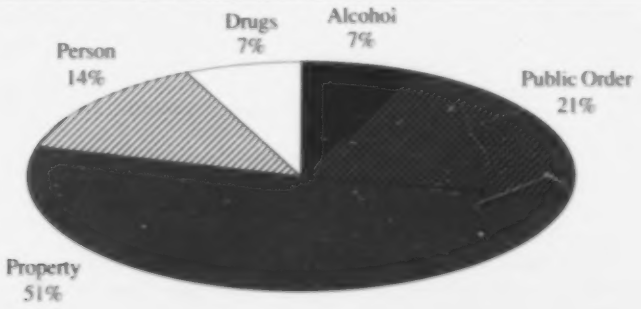
One of the first decisions to be made once a case is referred to juvenile court is whether or not the case is going to be handled formally (petitioned) or informally. When a case is handled formally, a petition is filed and the case is placed on the court calendar for an adjudicatory or transfer hearing. Cases handled informally are usually dismissed for lack of evidence or on other grounds. Youth in some informally handled cases are diverted to another agency, informal probation, voluntary placement outside the home, or are ordered to make restitution.

If a petition is filed and an adjudicatory hearing is held, the case might be dismissed or the juvenile otherwise released or adjudicated delinquent.

After an adjudication decision, the judge makes a dispositional decision. Possible sanctions include commitment to an

Figure 1

Delinquency Cases by Offense Category



Note: Person offenses include murder, rape, robbery, assault, etc. Property offenses include burglary, larceny, motor vehicle theft, arson, vandalism, etc. Public order offenses include disorderly conduct, prostitution, weapons offenses, contempt, etc.

Data sources: Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, Virginia (696 jurisdictions)

institution for delinquents, placement in a group or foster home or other residential treatment facility; probation; referral to another agency or to a day treatment program; or imposition of fines or restitution. A juvenile court may also transfer some cases to criminal (adult) court.

In this analysis, NCJJ researchers found that juvenile courts did *not* handle alcohol and drug cases formally as often as they did other delinquency cases (figure 4). Also, juveniles adjudicated on drug and alcohol offenses were committed to a residential facility less often than those adjudicated for other delinquent offenses.

However, drug cases were more likely than alcohol cases to be formally petitioned to court, with the juveniles committed to a residential facility, placed on formal probation, or transferred to criminal court.

For example, of each 100 drug offenses referred to juvenile court, 47 were petitioned. Of that number:

- Twenty-five resulted in formal probation.
- Nine resulted in commitment to a residential facility.
- Eight resulted in release after an adjudication hearing.
- One was transferred to criminal court.
- Five involved some other formal disposition.

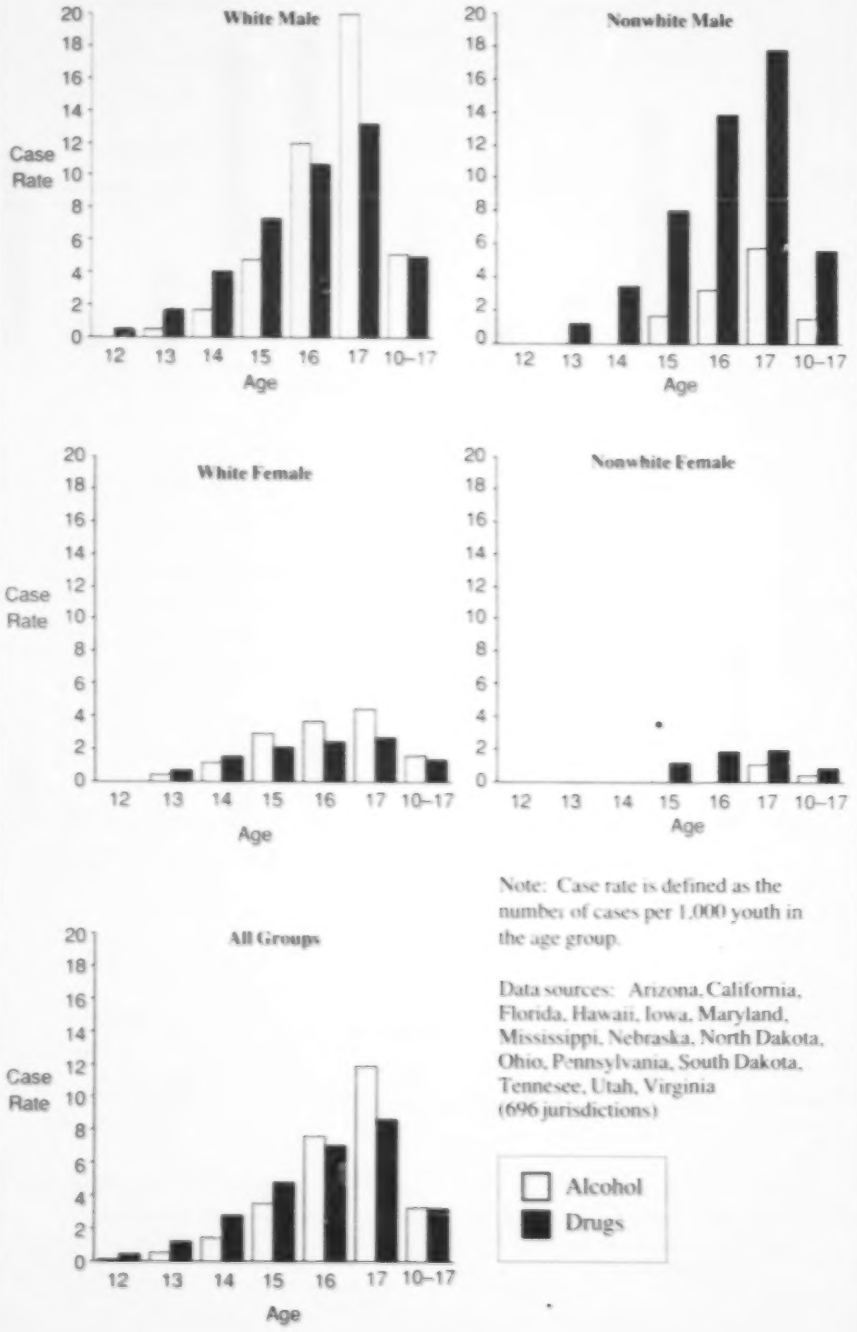
For each of 100 alcohol cases referred to court, only 38 were petitioned. Of that number:

- Seventeen were placed on formal probation.
- Three were committed to a residential facility.
- Five were released after an adjudication hearing.
- Twelve were given other formal dispositions.

(Note: The above figures may not add up to totals because of rounding.)

Figure 2

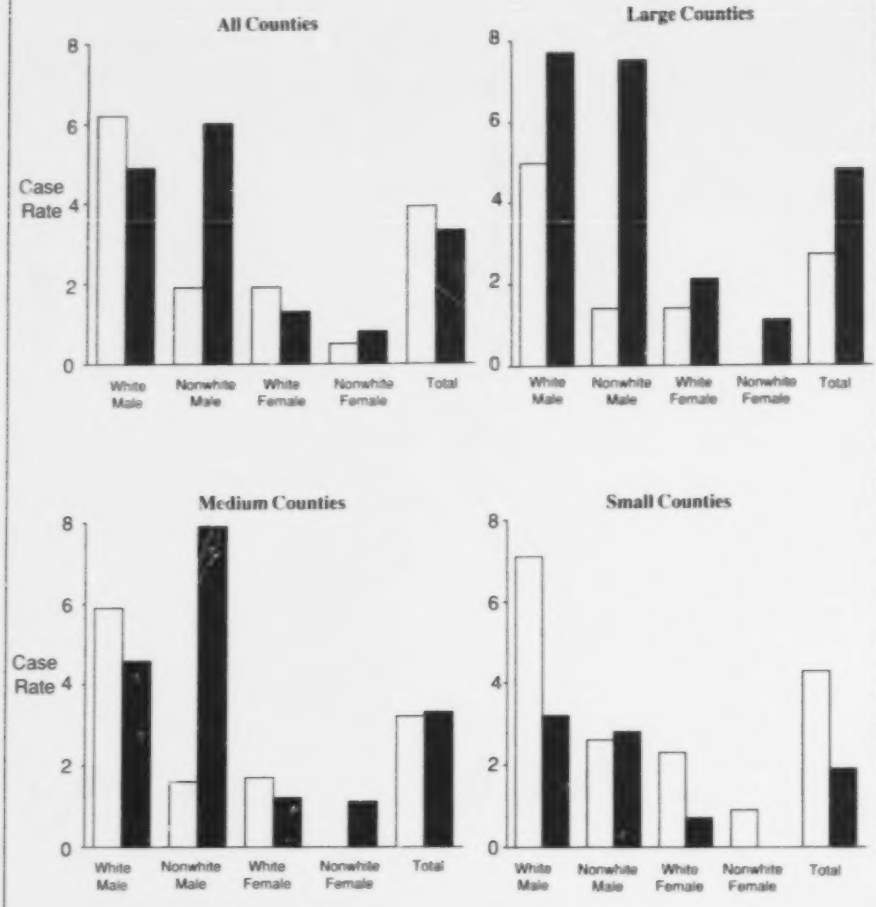
Drug/Alcohol Case Rates for Diffcrent Race/Sex Groups



Note: Case rate is defined as the number of cases per 1,000 youth in the age group.

Data sources: Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, Virginia (696 jurisdictions)

Figure 3
Drug/Alcohol Case Rates for Different Size Counties



Large Counties: 100,000 or more youth ages 10–17
Medium Counties: 40,000–99,999 youth ages 10–17
Small Counties: Fewer than 40,000 youth ages 10–17

Note: Case rate is defined as the number of cases per 1,000 youth in the age group.
Data sources: Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, Virginia (696 jurisdictions)

When comparing States, NCJJ researchers found a wide disparity in the way individual States handle juvenile drug and alcohol cases. For example, one State petitioned only 12 percent of its drug cases, while another petitioned more than 80 percent. For alcohol cases, the numbers varied even more widely, with the proportion of alcohol referrals handled formally ranging from a low of about 3 percent to a high of nearly 90 percent.

Court responses following adjudication also varied, although not as significantly as in the examples above. The proportion of juveniles placed in a residential facility for drug offenses ranged from 2 percent to 33 percent. The number placed for alcohol offenses varied from 2 percent to just under 25 percent.

Repeat offenders treated more severely

From jurisdictions providing information about prior referrals, this study showed that, as with other delinquency cases, more than half of the juveniles referred to court for drug and alcohol offenses were repeat offenders and had been sent to court at least once before (table 1). More important, almost half (4 of 10) of the drug cases and 3 of 10 of the alcohol cases involved youth who had been referred to court two or more times.

Courts tended to deal more formally with juveniles who had appeared in juvenile court previously. For drug cases, almost two-thirds (62 percent) of the youth with previous court referrals were handled formally by the courts; in comparison, 41 percent of the youth with no previous delinquency referrals were handled formally.

This pattern differed somewhat for alcohol cases. Youth with no prior delinquency referrals were just as likely to have their cases handled formally as informally. However, the majority (63 percent) of those who had been in court previously had their cases handled formally.

Drug possession and drug trafficking offenses

Of the 696 jurisdictions analyzed for this study, 287 had drug *possession* cases that could be distinguished from drug *trafficking* cases. In those jurisdictions, half of the drug cases referred to court were for trafficking and half for possession. Overall, drug trafficking and possession cases were equally likely to be handled formally by the courts (figure 5).

The statistics show that while this is true for the sample as a whole, there is a wide variation from State to State. For example, one State handled 80 percent of its drug possession cases formally while another handled only 15 percent of such cases formally. For drug trafficking cases, the range was not quite as great, varying from 37 percent to 89 percent.

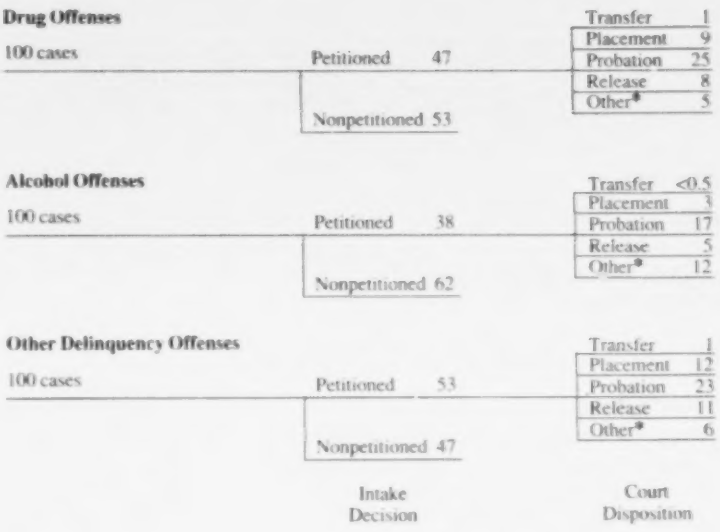
Large counties handled drug trafficking and possession cases differently than medium and small counties (figures 6–A and 6–B). For example, large county courts handled drug trafficking cases formally and committed youths to residential facilities more often than courts in medium and small counties. The percentage of drug possession cases handled formally by courts was similar for counties, regardless of size.

Driving-under-the-influence cases handled more formally

Most alcohol cases (82 percent) handled by juvenile courts involved public drinking, drunkenness, liquor law violations, or underage drinking. Driving-under-the-influence accounted for the remaining 18 percent. The majority of drinking cases were handled informally; however, most driving-under-the-influence cases were handled formally (figure 7). Most youth formally charged with driving-under-the-influence were placed on probation.

Driving-under-the-influence cases were generally handled in a similar manner by all counties (figures 8–A and 8–B). However, drinking cases were more likely to be handled formally in small counties.

Figure 4
Processing of 100 Typical Cases for Different Offense Categories



* Referrals to other agencies, fines, restitution, etc.

Note: Detail may not add to totals because of rounding.

Data sources: Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, Virginia (696 jurisdictions)

Table 1
Referral History for Different Offense Categories

	Number of Prior Referrals* (Percent of Cases)				
Current Offense	0	1	2–4	5+	Total
All Offenses	47%	17%	21%	15%	100%
Drug and Alcohol	46%	20%	21%	14%	100%
Drug	41%	19%	24%	16%	100%
Alcohol	48%	20%	19%	12%	100%
Other Delinquency	48%	17%	21%	15%	100%

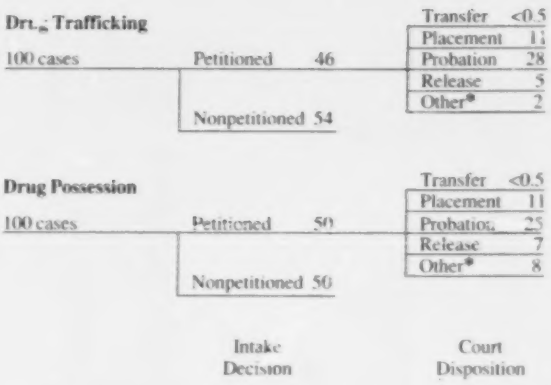
* Prior delinquency and status referrals only

Note: Detail may not add to totals because of rounding.

Data sources: Arizona, Hawaii, Iowa, Mississippi, Ohio, Utah (202 jurisdictions)

Figure 5

Processing of 100 Typical Drug Cases for Different Offense Categories



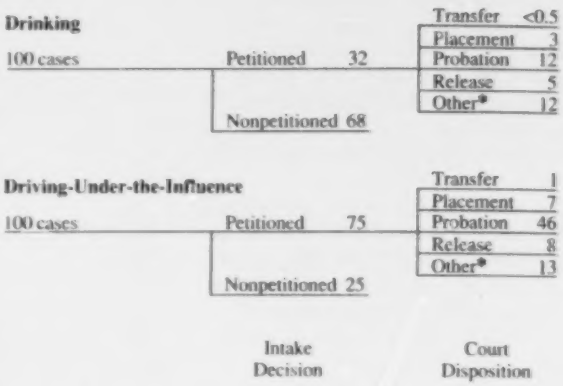
* Referrals to other agencies, fines, restitution, etc.

Note: Detail may not add to totals because of rounding.

Data sources: Arizona, California, Ohio, Pennsylvania, Tennessee, Utah, Virginia (287 jurisdictions)

Figure 7

Processing of 100 Typical Alcohol Cases for Different Offense Categories



* Referrals to other agencies, fines, restitution, etc.

Note: Detail may not add to totals because of rounding.

Data sources: Arizona, California, Hawaii, Iowa, Maryland, Mississippi, Nebraska, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, Virginia (632 jurisdictions)

Figure 6–A

Processing of 100 Typical Drug Trafficking Cases for Different Size Counties

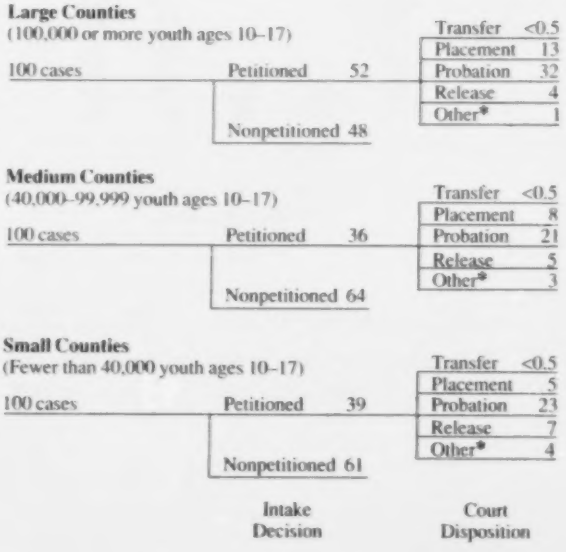
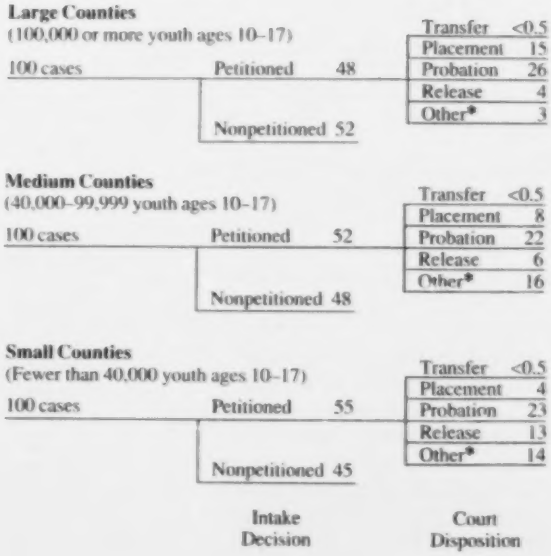


Figure 6–B

Processing of 100 Typical Drug Prossession Cases for Different Size Counties



* Referrals to other agencies, fines, restitution, etc.

Note: Detail may not add to totals because of rounding.

Data sources: Arizona, California, Ohio, Pennsylvania, Tennessee, Utah, Virginia (287 jurisdictions)

Figure 8–A
Processing of 100 Typical Drinking Cases for Different Size Counties

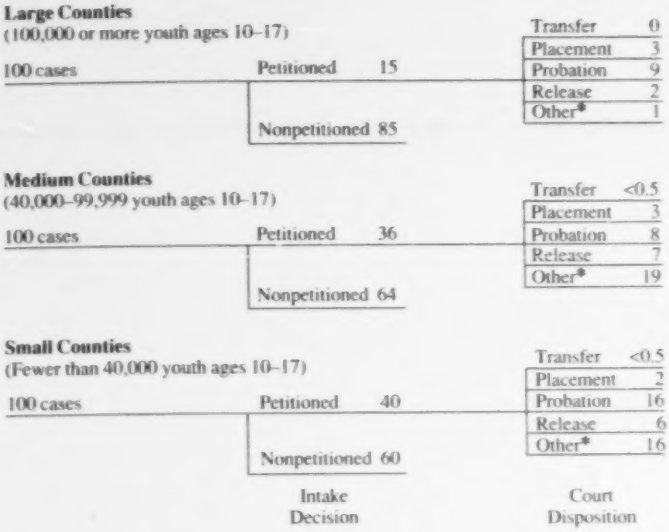
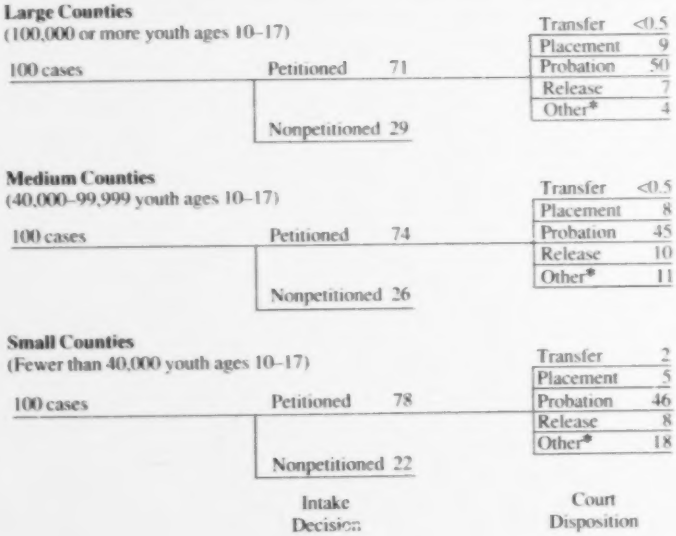


Figure 8–B
Processing of 100 Typical Drinking-Under-the-Influence Cases for Different Size Counties



*Referrals to other agencies, fines, restitution, etc.

Note: Detail may not add to totals because of rounding.

Data sources: Arizona, California, Hawaii, Iowa, Maryland, Mississippi, Nebraska, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, Virginia (632 jurisdictions)

Again, when comparing individual States with one another, extreme variations were found in the handling of juveniles referred to court for drinking and driving-under-the-influence offenses. The disparity was most acute for drinking offenses, with one State formally handling 3 percent of such cases compared to another that formally handled 90 percent. For driving-under-the-influence cases, the proportion of cases petitioned ranged from 45 percent to 98 percent.

The proportion of cases resulting in formal residential commitment varied somewhat across States, ranging from 1 percent to 15 percent for drinking cases and from 0 percent to 10 percent for driving-under-the-influence cases.

Methods

This report is based on automated case-level data for calendar year 1984 provided to the National Juvenile Court Data Archive by State and county agencies responsible for collecting or reporting information on the processing of youth referred to courts with juvenile jurisdiction.

Jurisdictions (counties) were selected for this study based on the following criteria: the upper age of juvenile court jurisdiction was 17, and the data represent the complete reporting of both petitioned and nonpetitioned cases handled in the jurisdiction in 1984. Data from 696 jurisdictions in 15 States (Arizona, California, Florida, Hawaii, Iowa, Maryland, Mississippi, Nebraska, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Utah, and Virginia) met these criteria. These jurisdictions are somewhat overrepresentative of larger counties compared to the Nation as a whole, and they have a slightly larger proportion of nonwhite youth.

Cases were identified as drug or alcohol cases based on their most serious offense. Similarly, case disposition information was based on the most serious disposition if more than one disposition was ordered.

The National Juvenile Court Data Archive collects administrative records on each case handled in more than 1,300 of the Nation's juvenile courts. NCJJ uses data from the Archive to prepare an annual report that provides national estimates of the numbers and types of delinquency and status offense cases disposed by juvenile courts each year. For more information on the Archive, contact the National Center for Juvenile Justice, 701 Forbes Avenue, Pittsburgh, PA 15219.

This *Update* summarizes the report, "Juvenile Court Handling of Drug and Alcohol Cases," prepared by Melissa H. Sickmund of the National Juvenile Court Data Archive. The Archive is supported by OJJDP grant no. 85–JN–CX–0012.

The Assistant Attorney General, Office of Justice Programs, coordinates the activities of the following program Offices and Bureaus: the Bureau of Justice Statistics, National Institute of Justice, Bureau of Justice Assistance, Office of Juvenile Justice and Delinquency Prevention, and the Office for Victims of Crime.

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